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8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10 SEAN DAVID FOLLETT,
11 Petitioner,
12 vs.
13 ISIDRO BACA, et al.,
14 Respondent(s).

Case No. 3:15-cv-00386-RCJ-WGC

**MOTION FOR ENLARGEMENT OF TIME
(SECOND REQUEST)**

15 Respondents, by and through counsel, Adam Paul Laxalt, Attorney General of the State of
16 Nevada, hereby respectfully move this Court for an order granting a thirty-five (35) day enlargement of
17 time, to and including September 27, 2018, in which to file and serve their response to Follett's
18 amended petition.

19 This motion is based upon the provisions of Rule 6(b) of the Federal Rules of Civil Procedure
20 and the attached Declaration of Counsel, as well as all other papers, documents, records, pleadings and
21 other materials on file herein.

22 There has been one prior enlargement of Respondents' time to file said response, and this
23 motion is made in good faith and not for the purposes of delay.

24 RESPECTFULLY SUBMITTED this 23rd day of August, 2018.

25 ADAM PAUL LAXALT
Attorney General

26 By: /s/ Jeffrey M. Conner
27 JEFFREY M. CONNER (Bar. No. 11543)
28 Assistant Solicitor General

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SEAN DAVID FOLLETT,

Petitioner,

vs.

ISIDRO BACA, et al.,

Respondent(s).

Case No. 3:15-cv-00386-RCJ-WGC

DECLARATION OF COUNSEL

I, JEFFREY M. CONNER, declare under penalty of perjury:

1. I am an Assistant Solicitor General employed by the Office of the Attorney General of the State of Nevada, and I make this declaration on behalf of Respondents' motion for enlargement of time in the above-captioned matter.

2. By this motion, I am requesting an enlargement of thirty-five (35) days, to and including September 27, 2018, to respond to Follett's amended petition. This is my second request for an enlargement.

3. Since Respondents filed their initial motion for enlargement, I have remained extremely busy working on numerous other state and federal matters including briefing numerous complex issues in three active capital habeas matters, *Ybarra v. Filson*, 3:00-cv-0233 (D. Nev.), *Nika v. Filson*, No. 3:09-cv-00178 (D. Nev.), and *Hernandez v. Filson*, 3:09-cv-00545 (D. Nev.). Additionally, when possible, I have been intermittently assisting with the ongoing litigation in the Eight Judicial District Court involving Nevada's lethal injection protocol in *Alvogen, Inc. v. Nevada*, No. A-18-777312-B, and the related writ proceeding, *Nevada vs. Dist. Ct. (Alvogen, Inc.)*, No. 76485. Finally, as a result of

1 working on the aforementioned matters, I have numerous impending deadlines in other non-capital
2 matters that have also already been extended. As a result of the forgoing, I need additional time to
3 complete a response to the amended petition. Accordingly, Respondents respectfully request that this
4 Court issue an order granting them an enlargement of thirty-five (35) days, to and including September
5 27, 2018, to respond to Follett's amended petition.

6 4. I contacted opposing counsel, Mary Lou Wilson, and she indicated that she had no
7 opposition to Respondents' request for additional time to respond to the petition.

8 5. This motion for enlargement of time is made in good faith and not for the purpose of
9 unduly delaying the ultimate disposition of this case.

10 I declare under penalty of perjury that the foregoing is true and correct.

11 By: /s/ Jeffrey M. Conner
12 JEFFREY M. CONNER (Bar. No. 11543)
13 Assistant Solicitor General
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17 IT IS SO ORDERED

18 [Signature]
19 U.S. DISTRICT JUDGE
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September 5, 2018